

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 04-CR-10065-MLW</b>
	)	
<b>CLARENCE EARLE</b>	)	

**JOINT MOTION FOR CONTINUANCE OF INITIAL STATUS CONFERENCE  
AND TO EXCLUDE TIME**

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Seth P. Berman, and Defendant, by and through his attorney, Owen Walker, Esq., jointly move to continue the Initial Status Conference currently scheduled for April 26, 2004 at 2:15 p.m. until May 26, 2004 at 2:45 p.m. Additionally, the parties jointly move, pursuant to 18 U.S.C. §3161 (h)(8)(A), to exclude the period of time commencing on April 26, 2004 and ending on May 26, 2004. As grounds therefor, the parties state that the interests of justice are best served by allowing the parties additional time to negotiate a possible plea agreement.

WHEREFORE, the parties respectfully request, under 18 U.S.C. §3161(h)(8)(A) and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested continuance and exclusion outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, grant the continuance as requested above and exclude the above period in computing the time within which trial must commence under 18 U.S.C. §3161.

Respectfully Submitted,

CLARENCE EARLE  
By His Attorney

MICHAEL J. SULLIVAN  
United States Attorney  
By:

/s/ Owen Walker (by SPB)  
OWEN WALKER, Esq.  
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/s/ Seth P. Berman  
SETH P. BERMAN  
Assistant U.S. Attorney  
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April 26, 2004